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108/10

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

COPY OF PAPERS  
ORIGINALLY FILED

Applicant(s): Chiradeep Vittal  
Serial No.: 10/027,917  
Filed: December 20, 2001  
For: SYSTEM AND METHOD  
FOR CONTROLLING  
VARIABLE OPTICAL  
ATTENUATORS  
Group Art Unit: 2872  
Examiner: unassigned  
Attorney Docket: 6950-60467 (008856-0005)

**CERTIFICATE OF  
MAILING/TRANSMISSION  
(37 C.F.R. § 1.8(a))**

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the BOX MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231.

March 8, 2002  
Date

*Mary M. Padilla*  
Mary M. Padilla

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

BOX MISSING PARTS  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to the Notice to File Missing Parts of Non-provisional Application Filing Date Granted, dated January 20, 2002 and relating to completion of the above-identified application, transmitted herewith are:

1. A copy of the Notice to File Missing Parts of Non-provisional Application Filing Date Granted, mailed January 20, 2002;
2. The Declaration for Patent Application signed by the inventors pursuant to 37 C.F.R. § 1.63;
3. Fee Transmittal Form PTO/SB/17;

4. A check in the total amount of \$870.00 to cover the \$130.00 surcharge in accordance with 37 C.F.R. § 1.16(e) for filing of missing parts of the application and \$740.00 to cover the statutory basic filing fee;

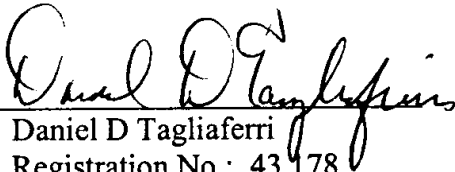
5. Certificate of Mailing/Transmission; and

6. Postcard.

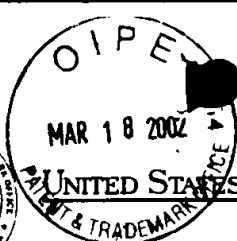
Except for the issue fee, which will be separately authorized, the Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 13-0201. A copy of this paper is enclosed.

Respectfully submitted,

Dated: March 8, 2002

By:   
Daniel D Tagliaferri  
Registration No.: 43,178

COUDERT BROTHERS LLP  
600 Beach Street, Third Floor  
San Francisco, CA 94109-1312  
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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/027,917	12/20/2001	Chiradeep Vittal	8856-05 (6950-60467)

CONFIRMATION NO. 9962

FORMALITIES LETTER



\*OC000000007340568\*

Daniel D. Tagliaferri  
Coudert Brothers LLP  
Third Floor  
600 Beach Street  
San Francisco, CA 94109

RECEIVED

JAN 28 2002

COUDERT BROTHERS LLP  
SAN FRANCISCO

*Due 3-22-02*

Date Mailed: 01/22/2002

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 870.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

03/20/2002 SFELEKE1 00000112 10027917

01 FC:101  
02 FC:105

740.00 DP  
130.00 DP

**DOCKETED**

DATE 1-29-02  
BY Doc



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PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$870.00)

## Complete if Known

Application Number	10/027,917
Filing Date	12/20/2001
First Named Inventor	Chiradeep Vittal
Examiner Name	
Group Art Unit	2872
Attorney Docket No.	8856-05 (6950-60467)

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 13-0201  
Deposit Account Name: Coudert Brothers LLP

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
101	740	201	370	Utility filing fee
106	330	206	165	Design filing fee
107	510	207	255	Plant filing fee
108	740	208	370	Reissue filing fee
114	160	214	80	Provisional filing fee

Fee Paid

740

SUBTOTAL (1) (\$740.00)

### 2. EXTRA CLAIM FEES

Total Claims:  Extra Claims:  Fee from below:  Fee Paid:   
Independent Claims:  - 20\*\* =  X   
Multiple Dependent Claims:  - 3\*\* =  X

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$0-)

\*\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$130.00)

## SUBMITTED BY

Name (Print/Type)	Daniel D. Tagliaferri	Registration No. (Attorney/Agent)	43,178	Telephone	415/409-2900
Signature	<i>Daniel D. Tagliaferri</i>	Date	3/8/02		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.